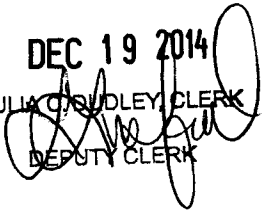


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

DEC 19 2014

JULIA C. SUDLEY, CLERK
BY: 
DEPUTY CLERK

A&G COAL CORPORATION,

Plaintiff,

v.

ELKEM MATERIALS, INC.

Defendant.

Case No. 2:13CV00045

AGREED ORDER

Came this day the parties, by counsel, and announced that they had agreed to certain pre-trial discovery, summary judgment and expert witness deadlines, based on the continuance of the trial from March 23 – 27 to May 4 – 7 and 11, 2015 (Doc No. 83).

Based on the representations and agreement of counsel, it is hereby ADJUDGED and ORDERED that the Pre-trial Scheduling Order previously entered in the case (Doc. No. 34) is amended as follows:

1. The parties shall make their initial expert witness disclosures on or before January 28, 2015;
2. The parties shall make their rebuttal expert witness disclosure on or before February 11, 2015;
3. The parties shall complete fact and expert discovery on or before February 18, 2015. All discovery shall be served such that it may be responded to timely by this date;
4. The parties shall file any Motions for Summary Judgment and/or any Motions to Exclude Experts on or before March 9, 2015;

5. Any briefs in opposition to any Motion for Summary Judgment and any briefs in opposition to any Motion to Exclude Experts shall be filed on or before March 23, 2015; and
6. The parties shall file any reply brief in support of any Motion for Summary Judgment and any reply brief in support of any Motion to Exclude Experts on or before March 30, 2015.

Except as modified above, the Pre-trial Scheduling Order shall continue in effect.

ENTER this 19th day of December, 2014.


United States District Judge